

AUSAs: SAV

County of Investigation: Benton

Affidavit in Support of Criminal Complaint

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 17, 2016

SEAN F. McAVOY, CLERK

**AFFIDAVIT OF TASK FORCE OFFICER DOUGLAS STANLEY IN
SUPPORT OF A SEARCH WARRANT**

I, Jason D. Gilbert, a Task Force Officer with the Federal Bureau of Investigation, being duly sworn, deposes and states:

INTRODUCTION

1. Your affiant has been in law enforcement since October 2008, and is currently a detective assigned as a Task Force Officer with the FBI Eastern Washington Safe Streets Violent Gang Task Force- Tri-Cities (EWSSVGTF-TC). Your affiant has investigated federal crimes, applied for and participated in federal search warrants and therefore has become familiar with federal law, as it relates to the distribution of controlled substances and other violations of federal laws relating to controlled substances, firearms possession, and money laundering.

2. Your affiant has been employed with the Pasco Police Department since 2013. Prior to working for the Pasco Police Department, your affiant worked as a police officer for the Sunnyside Police Department for approximately three years and the Othello Police Department for approximately three years. Your

affiant successfully completed the Washington State Basic Law Enforcement Academy in Burien, Washington in 2008.

3. Your affiant has attended law enforcement training involving narcotics identification, criminal organizations, and roadside interdiction and investigation classes during his time as a law enforcement officer. Your affiant has over 1000 or more hours of law enforcement training.

4. As of September 2015, your affiant has been assigned to the EWVGSSTF as a Task Force Officer (“TFO”). Your affiant's duties as a TFO include the investigation of violations of federal law and related criminal activities, including but not limited to, drug offenses as contained within Title 21 of the United States Code.

5. Additionally, your affiant has participated in numerous criminal investigations involving drug trafficking. This participation includes acting as the case agent and assisting other law enforcement officers. Through this participation, your affiant has gained an understanding of the manner in which controlled substances are manufactured, and/or distributed, and the various roles members of such organizations serve in furtherance of the organization's drug trafficking and money laundering activities.

6. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, in that I am empowered by law to conduct investigations and to make arrests for federal felony offenses.

7. Your Affiant has knowledge of the following information based on his own observations and investigation as well as information that he has learned from other law enforcement officers, to include but not limited to verbal discussions with other law enforcement officers named in this Affidavit. Your Affiant has participated in interviews with cooperating defendants pending federal and/or state charges, talked with officers involved in this investigation, reviewed reports by other officers, and reviewed subpoenaed employment documents of individuals believed to be involved in this investigation. Again, as previously noted, because this affidavit is being submitted solely for establishing probable cause to obtain an arrest warrant, I have not included each and every fact known to me concerning this investigation. I only have set forth facts necessary to support the authorization of the requested warrant.

BACKGROUND

8. Members of EWVGSSTF have been investigating a transnational drug trafficking organization operating herein the Eastern District of Washington and

elsewhere since at least 2011. During that investigation, Jese David Carillo Casillas (hereafter Jese/Casillas) has been identified as a high ranking member of this organization who was first identified in the spring of 2015. In addition to Casillas, Francisco Duarte Figueroa/DOB: 07-26-XX, was identified during the course of this investigation as a member of this DTO working directly with Casillas in the Tri-Cities area. EWVGSSTF has also been utilizing a Confidential Human Source (hereinafter CHS)¹, to investigate this transnational drug trafficking organization as this CHS has been in direct communication with several of its members to include Casillas.

9. By way of background, on approximately 04/15/15, the CHS spoke with TFO Whitby and advised an individual named “Jese” contacted the CHS and told the CHS that Jese needed the title for a previously identified load

¹ The CHS is a United States Citizen and is cooperating with law enforcement in exchange for consideration on felony drug-related charges from another jurisdiction and for monetary gain. CHS has provided information to law enforcement that has proved to be reliable and has been verified by TFO Whitby and other law enforcement officers. CHS has provided information used in affidavits that have led to the arrest and indictment of multiple federal targets.

vehicle². The CHS reported that Jese had in the past worked for the identified leader/organizer of this organization, Ivan Calvillo who fled to Mexico from the EDWA in 2011. The CHS stated a photograph of Jese could be located under the Facebook page Jese Casillas.

10. On 04/27/2015, SA Pratt and TFO Whitby met with the CHS. Photographs were shown to the CHS minus identifying information. The CHS identified Jese from the photographs. Agents confirmed through the Washington Department of Licensing that Jese is Jese David Carillo Casillas DOB: 07/19/19XX and his wife, also identified by the CHS as Daisy Viviana Duarte Camacho DOB: 05/19/19XX.

11. Since that time through physical and electronic surveillance, members of the EWVGSSTF identified Casillas' residence as 8 N Palouse St, Kennewick WA. Other occupants of the house were unknown at that time. Members of the EWVGSSTF have also applied for and obtained several GPS ping Orders for

² This load vehicle is outfitted with a secret compartment and was identified as a load vehicle utilized to transport narcotics for this organization during a previous investigation.

phones associated with Casillas during this investigation. *See*, 4:15-mj-07134-JPH, 4:15-mj-07134-JPH.

12. During this same time period (Spring 2015) the CHS, under the surveillance of members of the EWVGSSTF, met with Casillas' relative to the above described load vehicle. During that meet, the CHS advised that that Casillas told the CHS he was selling methamphetamine again and had a half pound for sale. Casillas confirmed he was still working for Calvillo's organization and was also looking for guns to take to Mexico for the organization.

13. On 05/13/2015, the CHS was again contacted by Casillas concerning a second load vehicle that was used by Calvillo in the past. Casillas told the CHS he now owned that second load vehicle and needed to know where the "Clavo" (hidden compartment) was located inside the vehicle. TFO Whitby knows through his involvement in this organization, that more than one vehicle has been utilized to transport narcotics. TFO Whitby applied for and obtained a tracking warrant for this second load vehicle. *See*, 4:15-mj-07073-JPH.

14. On approximately 05/23/15, Casillas spoke with the CHS telling the CHS that Casillas was in contact with Calvillo who wanted Casillas to travel to California to assist in transporting 7 kilos of cocaine from California to Washington. Casillas and the CHS discussed the previously aforementioned load

vehicle and that the load vehicle would not be used to make the trip because the rear door to the vehicle needed be fixed.

15. During this same time period, a companion investigation was occurring with an undercover task force relative to money laundering activities of this organization. Ivan Calvillo was in direct communication with an undercover task force officer with DEA up until December 2015 when he was murdered in Mexico. After Calvillo's death, Casillas began communicating directly with the undercover task force officer taking over some of those same money laundering activities for the drug trafficking organization. These communications lead to additional conversations relative to Casillas supplying the undercover officer with large quantities of narcotics. These communications occurred over "Whats App".³

16. During the spring of 2016 and into May 2016, Casillas was in contact with the undercover task force officer for the purpose of discussing a face to face meet and the delivery of one kilogram of methamphetamine. During the conversations over "Whats App", Casillas and the undercover also discussed prices

³ "Whats App" messenger is a cross platform mobile messaging app which allows individuals to exchange messages without having to pay for SMS. It is also a messaging service that law enforcement is not able to intercept and therefore has become a popular means of communication for those engaged in illegal activities.

for future transactions involving narcotics. The meet was set for May 17th, 2016 in Seattle, WA⁴.

17. On May 17th, 2016 a meeting between Casillas and an undercover officer was set at a predetermined location near Seattle, WA for a buy of 1 kilogram of methamphetamine. During the meeting, a red 2002 Honda Accord bearing AZ plate BRJ1086, was used during the narcotics transaction. The 1 kilogram of methamphetamine was taken from the trunk of the red Honda Accord. The driver of the red Honda Accord was not identified at the time. It was discussed that there would be future narcotics transactions between the undercover officer and Casillas. Due to the involvement of the red Honda Accord a tracker warrant, 4:16-mj-07123, was applied for and obtained on July 22nd, 2016.

18. During the months of July and August 2016, through electronic and physical surveillance, Figueroa was seen leaving and arriving at 8 N. Palouse St Kennewick, WA on an almost daily basis while driving the red 2002 Honda Accord bearing AZ plate BRJ1086.

19. On July 26th, 2016 your affiant was advised by a DEA undercover officer that he had a phone conversation with Casillas about the delivery of 10 kilos

⁴ The undercover at that time requested the meet to be in Seattle even though Casillas lives in the EDWA based upon the undercover's background story as understood by Casillas.

of heroin. They discussed that the heroin would first be brought into Los Angeles CA and then transported to Washington. The DEA undercover officer advised on August 11th, 2016 that there would now be 12 kilos of heroin being delivered. The DEA undercover officer later advised that there would be a narcotics transaction occurring on August 15th, 2016 near Seattle WA.

20. During the morning of August 15, 2016 members of the EWVGSSTF were surveilling 8 N. Palouse St Kennewick, WA due to the information that the sale of the 12 kilos of heroin would happen later that day.

21. On August 15, 2016 at approximately 12:21 a.m. a vehicle entered the parking area behind 8 N. Palouse St, Kennewick, WA and parked in an obstructed view of the electronic surveillance. At approximately 12:55 a.m. a vehicle parked directly behind 8 N. Palouse St, Kennewick WA. Through electronic monitoring the vehicle was still seen in the same spot later that morning and later identified as a silver 2014 Nissan Altima, bearing WA plate AXM8029, registered to Luis R De Dios Valdez by your affiant.

22. Electronic monitoring reviewed on August 15, 2016 showed at approximately 7:08 a.m. a male wearing a red t-shirt, later positively identified by DEA Seattle as Figueroa, and a male wearing a white hat and gray and white striped shirt, later positively identified by DEA Seattle as Casillas, exit the rear of 8 N Palouse St Kennewick WA. Figueroa was carrying a large black duffle style

bag. Figueroa and Casillas walked behind a van and Casillas grabbed a red towel from a vehicle in the parking lot and took it to where Figueroa was last seen behind the van. At approximately 7:14 a.m. Casillas pulled the silver Nissan Altima, bearing WA plate AXM8029, behind the white van where Figueroa was last seen. Physical surveillance by your affiant revealed Figueroa and Casillas were standing behind the silver Nissan Altima. The trunk was seen open through video surveillance. At approximately 7:22 a.m. Figueroa left in the silver Nissan Altima, bearing WA plate AXM8029.

23. Your affiant and members of the EWVGSSTF conducted physical surveillance on August 15, 2016 from approximately 7:17 a.m. to 8:00 a.m. and were able to identify that Figueroa was carrying the black bag and was the driver of the silver Nissan Altima and the sole occupant. During the surveillance members of the EWVGSSTF were able to follow the silver Nissan Altima west onto Interstate 82 towards Seattle, WA. The physical surveillance was terminated near Benton City, WA on Interstate 82. Approximately 20-30 minutes later your affiant was advised by FBI SSRA Leahy that Casillas had contacted the undercover officer advising that he was on his way to deliver the narcotics and requested directions on how to contact the individual taking delivery in Seattle, WA.

24. FBI SSRA Bill Leahy was advised by DEA SA Marconi that on August 15, 2016 at approximately 1:00 pm the silver Nissan Altima bearing WA plate AXM8029 arrived at the meet location near Seattle in tandem with a red Nissan Altima bearing WA plate AAR8958, registered to Guillermo Casillas, 1724 Nixon St Pasco, WA. A black Adidas athletic bag was taken from the trunk of the silver Nissan Altima and given to the DEA undercover officer by Figueroa, who was driving the silver Nissan Altima. Casillas was positively identified as the driver of the red Nissan Altima. DEA Seattle advised that Casillas was acting as counter surveillance for the narcotics exchange. Casillas and Figueroa's vehicles were followed to a Fred Meyer at 1st Ave South and 145th St. Surveillance continued until 128th St and 1st Ave where surveillance was terminated.

25. The black Adidas bag contained 12 blocks that weighed approximately 1 kilogram a piece. One of the blocks was opened and field tested presumptive positive for heroin.

26. Based upon the above described delivery, a search warrant was applied for and obtained for Casillas' and Figueroa's residence located at 8 N. Palouse St Kennewick, WA. *See*, 4:16-mj-07125.

27. At approximately 7:00 a.m. on August 17, 2016, the search warrant was executed at the residence. Agents located both Casillas and Figueroa inside the

residence, each occupying their own bedroom. Figueroa was placed into custody and advised of his *Miranda* Rights both orally and in writing in English. Figueroa confirmed he spoke English and understood his rights. He agreed to waive them and be interviewed by the agents on scene. Figueroa admitted that he left the residence on Monday (August 15, 2016) and that he was driving a silver vehicle. He further acknowledged that he was given something to take to Seattle at the direction of Casillas and later met up with Casillas in Seattle. He stated Casillas told him to give the item to another individual he met up with while in Seattle WA. Figueroa claimed that he did not know what was inside the bag. He further stated they returned to their residence in Kennewick later that day.


28. During the execution of the search warrant, agents located in Figueroa's bedroom a user quantity of cocaine to which Figueroa admitted was his cocaine. Agents also located two computers and one cellular telephone inside his room. Located inside Casillas' identified bedroom were additional cellular telephones and a computer. Located in the common area of the house were additional cellular telephones, approximately \$2000 in US currency and an unknown amount of Canadian currency.

29. Based on your Affiant's training and experience, as well as discussions with other law enforcement officers who work drug-related cases in the Eastern District of Washington, your Affiant believes there is probable cause to

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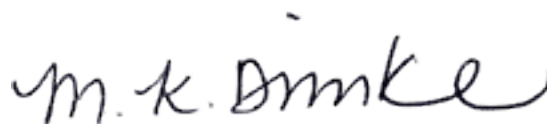
believe that Francisco Duarte Figueroa is a member of this organization and that he and Casillas worked in combination to possess in this district and deliver the aforementioned 12 kilograms of heroin in Seattle, Washington. Your affiant therefore believes there is probable cause to arrest Francisco Duarte Figueroa for the Possession with Intent to Distribute 1 Kilogram or More of a mixture or Substance containing a detectable amount of Heroin, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(i).

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.



Jason D. Gilbert, Task Force Officer
Federal Bureau of Investigation

Sworn to telephonically and signed electronically this 17th day of August, 2016.



Honorable Mary K. Dimke
United States Magistrate Judge

